

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION**

#### **ENERGY AND TELECOMMUNICATIONS**

#### **Call to Order:**

**CHAIRMAN JERRY W. BLACK**, on January 13, 2009 at 3:00 P.M.,  
in Room 317-C Capitol.

#### **ROLL CALL**

#### **Members Present:**

Sen. Jerry W. Black, Chairman (R)  
Sen. Aubyn Curtiss, Vice Chairman (R)  
Sen. Roy Brown (R)  
Sen. Ron Erickson (D)  
Sen. Kelly Gebhardt (R)  
Sen. Bob Hawks (D)  
Sen. Dave Lewis (R)  
Sen. Lynda Moss (D)  
Sen. Sharon Stewart-Peregoy (D)  
Sen. Mitch Tropila (D)

**Members Excused:** Sen. John Esp (R)

**Members Absent:** None.

**Staff Present:** Sonja Nowakowski, Legislative Branch  
Nadine Spencer, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

#### **Committee Business Summary:**

Hearing & Date Posted: SB 33, 1/5/2009

Executive Action: None

**HEARING ON SB 33**

**Opening Statement by Sponsor:**

00:01:02 SEN. DAVE LEWIS (R), SD 42, opened the hearing on SB 33, Include certain biomass generation facilities in renewable power act.

**EXHIBIT**(ens07a01)

**Proponents' Testimony:**

00:07:57 Paul Cartwright, Governor's Office  
00:08:38 Chuck Roady, F.H. Stoltze Land & Lumber  
00:11:30 Sherman Anderson, Sun Mountain Lumbar Company  
00:16:17 John Fitzpatrick, Northwestern Energy

**EXHIBIT**(ens07a02)

00:23:45 Angela Farr, Montana Department of Natural Resources and Conservation (DNRC)

**EXHIBIT**(ens07a03)

00:27:56 Jason Todhunter, Montana Logging Association (MLA)  
00:29:27 Chantel McCormick, Montana Department of Commerce  
00:30:39 Janice Grosfield, DsJr Trucking Inc  
00:32:11 Dan Flynn, International Brotherhood of Electrical Workers (IBEW)  
00:32:30 Chad Delong, Missoula Economic Development Corporation  
00:33:38 Gail Gutsche, Montana Public Service Commission

**Opponents' Testimony:** None

**Informational Testimony:**

00:35:06 John Elke, Montana Dakota Utilities  
00:36:13 Chuck McGraw, Natural Resources Defense Council and Renewable Northwest Project

**Questions from Committee Members and Responses:**

00:38:33 Sen. Erickson  
00:39:37 Angela Farr  
00:40:44 Sen. Erickson  
00:40:52 Sen. Brown  
00:41:38 Angela Farr  
00:41:57 Bob Harrington (DNRC)  
00:44:44 Sen. Moss

00:46:07 Sen. Lewis  
00:46:42 John Fitzpatrick  
00:48:16 Sen. Gebhardt  
00:48:47 Chuck Roady  
00:49:51 Sen. Gebhardt  
00:50:20 Chantel McCormick  
00:50:59 Sherman Anderson  
00:51:45 Sen. Gebhardt  
00:51:58 Sherman Anderson  
00:53:17 Sen. Gebhardt  
00:53:30 Sherman Anderson  
00:53:52 Chairman Black  
00:54:12 John Fitzpatrick  
00:54:49 Chairman Black  
00:54:53 John Fitzpatrick  
00:55:33 Chairman Black  
00:55:40 John Fitzpatrick  
00:56:56 Chairman Black  
00:57:03 John Fitzpatrick  
00:57:21 Chairman Black  
00:57:29 John Fitzpatrick  
00:59:31 Chairman Black  
00:59:40 Sen. Stewart-Peregoy  
01:00:02 John Fitzpatrick  
01:00:38 Sen. Gebhardt  
01:01:40 Bob Harrington  
01:03:11 Chairman Black

**Closing by Sponsor:**

01:03:28 Sen. Lewis

**ADJOURNMENT**

Adjournment: 4:05 P.M.

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NADINE SPENCER, Secretary

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Additional Exhibits:

**EXHIBIT ([ens07aad.pdf](#))**